

# COUNTY OF LINCOLN

## New Mexico Regular Meeting Board of County Commissioners

Jackie Powell, Chair  
Preston Stone, Vice Chair

Kathryn Minter, Member  
Mark Doth, Member  
Dallas Draper, Member

### Minutes Tuesday, December 16, 2014

Minutes of the Regular Meeting of the Lincoln County Commission held at 8:30 AM on December 16, 2014 in the County Commission Chambers, Lincoln County Courthouse, in Carrizozo, New Mexico.

#### 1. Call to Order

Chair Powell called the Regular Meeting of the Board of County Commissioners to order at 8:34:30 AM.

#### 2. Roll Call

##### Roll Call.

**Present:** Chair Powell, Commissioner Stone, Commissioner Doth, Commissioner Draper.

**Absent/Excused:** Commissioner Minter.

Others present included Nita Taylor, County Manager; Alan Morel, County Attorney; and Rhonda Burrows, County Clerk.

#### 3. Invocation

The invocation was presented by Commissioner Stone.

#### 4. Pledge of Allegiance

- a. Pledge – US Flag
- b. Salute – NM Flag

#### 5. Approval of Agenda

**Motion:** Acceptance of the Agenda and authorized the Chair to move items as necessary,

**Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Commissioner Draper.

**Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).

**Yes:** Chair Powell, Commissioner Doth, Commissioner Draper, Commissioner Stone.

**Absent:** Commissioner Minter.

#### 6. Approval of Minutes

- a. November 19, 2014 Regular Commission Meeting

**Motion:** Approve the minutes of the November 19, 2014, Regular Commission Meeting, **Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Commissioner Stone.

**Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).

**Yes:** Chair Powell, Commissioner Doth, Commissioner Draper, Commissioner Stone.

**Absent:** Commissioner Minter.

#### 7. Approval of Consent Agenda

- a. Payroll/Accounts Payable/Budget/Expenditures
- b. Treasurer's Financial Report for the Month ending September 30, 2014

**Motion:** Approval of Consent items as presented, **Action:** Approve, **Moved by** Commissioner Draper, **Seconded by** Commissioner Doth.

**Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).

**Yes:** Chair Powell, Commissioner Doth, Commissioner Draper, Commissioner Stone.  
**Absent:** Commissioner Minter.

**SEE EXHIBIT A:** Copies of Consent Items are attached hereto in reference thereto made a part hereof.

#### **8. Treasurer's Report- Final Report by Current Treasurer**

Chair Powell recessed the Regular Meeting and convened the Board of Finance Meeting at 8:30:17 AM.

Ms. Taylor informed NMSA 4-43-4 required "When a county collector goes out of office he shall make a full and complete settlement with the board of county commissioners, and deliver up in the presence of the county clerk all books, papers, money and all other property appertaining to the office, to his successor..... and also see that the books...are correctly balanced before passing into the possession of the collector-elect".

Glenna Robbins, Treasurer presented the November Treasurer's Report for review. Ms. Robbins noted cash balances declined by \$1.3 million due to recent construction activity but anticipated an increase before the end of the fiscal year. Ms. Robbins stated the Treasurer's office had collected approximately 28% of the outstanding property tax revenues similar to past years at this time.

Ms. Robbins informed she would retire at the end of her term after 25 years with Lincoln County. Ms. Robbins expressed gratitude for the assistance of the Board of Commissioners and the County Manager during her two terms as County Treasurer. Ms. Robbins also thanked her Chief Deputy Beverly Calaway and her staff.

Ms. Robbins stated as per NMSA 4-43-4 she would provide a full report of accounts and account balances current as of December 31, 2014 to be transferred to Ms. Calaway. Ms. Robbins stated Ms. Calaway would present the compiled report at the January 2015 Commission Meeting and forward a copy to the Department of Finance and Administration (DFA) as per State Statute.

Chair Powell presented a plaque in recognition of Ms. Robbins dedication and 25 years of service to the citizens of Lincoln County.

Beverly Calaway, Chief Deputy Treasurer presented a plaque to Ms. Robbins on behalf of the New Mexico Association of Counties Treasurer's Affiliate for her outstanding contribution to the Affiliate.

Chair Powell adjourned the Board of Finance Meeting and reconvened the Regular Meeting at 8:43:32 AM.

#### **9. Smokey Bear District Ranger Update**

David Warnack, Ranger thanked the County Commission, County Manager, and all Lincoln County employees for being "good neighbors". Ranger Warnack thanked Carl Palmer, Road Superintendent and Paul Baca, Assessor for their cooperation and assistance on various projects.

Ranger Warnack expressed appreciation for outgoing Commissioner Minter's service to the Bonito Fire Department. Ranger Warnack commented on outgoing Commissioner Doth's positive influence in the community as well as his strong leadership. Ranger Warnack expressed great respect for outgoing Chair Powell's leadership and work for Lincoln County. Ranger Warnack stated a desire to continue the positive working relationship between the Smokey Bear Ranger District and Lincoln County.

Chair Powell and the other Commissioners expressed appreciation for Ranger Warnack's leadership and commented on the cooperative efforts of the two entities during the Little Bear Fire.

#### **14. Proclamation – Volunteer Fire Fighters of Lincoln County**

Ms. Taylor informed Lincoln County had ten separate formally established fire departments consisting of nearly 200 volunteers who provide fire protection and emergency services across the County. Ms. Taylor stated Lincoln County fire fighters responded to 120 calls for service last year, and also participated in hundreds of hours of training.

Ms. Taylor presented the proclamation to acknowledge the contributions of time, energy and expertise given by these volunteers who embody the spirit of their communities.

Lynn Lovelace, District Forester for New Mexico State Forestry praised the volunteer fire fighters and acknowledged the services they provide. Ms. Lovelace specifically thanked the firefighters for their work in cooperation with the State Forestry.

Chair Powell commended the volunteer firefighters for their service and acknowledged the leadership and support of Lincoln County's Office of Emergency Services.

**Motion:** Approve the Proclamation for Volunteer Firefighters of Lincoln County, **Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Commissioner Draper.

**Vote:** Motion carried by unanimous vote (summary: Yes = 4).

**Yes:** Chair Powell, Commissioner Doth, Commissioner Draper, Commissioner Stone.

**Absent:** Commissioner Minter.

#### 10. GSWA Update

Ms. Taylor provided copies of the Agenda and Draft Minutes from the GSWA October 16, 2014 meeting. Ms. Taylor also provided copies of the Notification Letter sent to GSWA On October 21, 2014 terminating the Joint Powers Agreement for Billing for Solid Waste Collection; the public notice published in the Ruidoso News informing the public of the billing change; a formal request to GSWA Chairman Ray Dean for a billing transition meeting; and copy of a follow up request for a billing transition meeting.

Ms. Taylor also reported GSWA held a special meeting on November 25, 2014 to discuss and take possible action on hiring legal representation subsequent to the District Court disqualification of Attorney J. Robert Beauvais on November 20, 2014 in case D-1226-CV2014-00095. Ms. Taylor reported GSWA voted to hire Robert M. Doughty II, Esq.

#### 12. Water issues/Forest/Wildlife Health Programs

**Water Rights Notices:** Ms. Taylor reported the two applications noticed in the Lincoln County News and previously discussed at the November 19, 2014 Regular Meeting were posted to the State Engineer's website. Ms. Taylor reminded both applications requested transfers from a site below Ruidoso Downs to the Village of Ruidoso and both carried requests for Emergency Authorization under NMSA 72-5-25. Ms. Taylor stated Chair Powell filed a protest on behalf of Lincoln County. Ms. Taylor stated despite repeated requests for assistance the State Engineer, Scott Verhines, took no action to address County concerns. Ms. Taylor reported Governor Martinez appointed Mr. Tom Blaine as of December 1, 2014 to replace Mr. Verhines. Ms. Taylor stated she and Chair Powell met with Governor Martinez' staff member James Ross to relay Lincoln County's concerns about the approval of water rights by Emergency Authorization and without due process. Mr. Ross recommended the County provide all concerns in writing and agreed to forward the concerns to the new State Engineer.

**Update on Water Transfer Litigation:** Ms. Taylor reminded of the prior approval to hire Kelly Cassels of Sanders, Bruin, Coll and Worley, PA to represent Lincoln County in protests of the Village of Ruidoso's Applications SD-1300-1 and H-50-1 for temporary transfers. Ms. Taylor provided a timeline of actions taken by the County and other Protestants in opposition to the process used to file protests. Ms. Taylor stated no hearing dates were currently set.

**Hazard Mitigation Grant Program:** Ms. Taylor reported the first education and outreach meeting for landowners was held on September 23, 2014 and stated five additional meeting dates were set monthly through April 14, 2015 in compliance with FEMA Grant 4079-DR-NM. Ms. Taylor stated the initial presentation was modified to include participation from other agencies including the US Forest Service, NM State Forestry, South Central Mountain RC and D, and others. Ms. Taylor noted the SIMs table served as an important tool to demonstrate the importance of thinning for forest health.

**South Central Mountain RC and D:** Ms. Taylor stated Lincoln County received additional grant funding for forest health work through a New Mexico Association of Counties grant administered by the Rural Forester, Rick Merrick. Commissioner Doth reported Otero County budgeted \$37,000 in financial support for South Central RC and D to continue pursuit of thinning projects.

#### 13. Consideration / Potential Action on Space Allocation for 12<sup>th</sup> Judicial District Attorney

Ms. Taylor reminded of prior discussion of requests from several entities, including the District Attorney's office, currently housed in the Courthouse Annex for additional space or relocation. Ms. Taylor stated on November 25, 2014 Diana Martwick the 12<sup>th</sup> Judicial District Attorney provided notice of intent to sue Lincoln County for adequate office space as required by NMSA 36-1-8.1.

Ms. Taylor stated the District Attorney subsequently closed her office in the Annex and relocated staff to Alamogordo. Ms. Taylor stated Ms. Martwick's preference for resolution of the problem was for the County to rent office space in Ruidoso. Ms. Martwick argued relocation to Ruidoso would provide better access to the primary population and aid in the recruitment and retention of Assistant District Attorneys. Ms. Taylor stated Ms. Martwick was opposed to the County supported resolution of remediation and upgrade of the Annex building or renovation of the County owned former title company building. Ms. Taylor presented a follow up letter from Ms. Martwick suggesting failure to grant her request would necessitate a reduction in services by the District Attorney's office including the discontinuation of prosecution of misdemeanors in the County.

Ms. Taylor presented cost estimates for the options identified as: \$36,000 to \$54,000 annually to lease space in Ruidoso; \$270,000 for remediation and remodel of the Annex; \$235,000 for remodel of former title company building; or \$1,800 monthly for a short term lease of NRCS office space.

Diana Martwick, District Attorney discussed the poor conditions of the current office space and expressed concern about the potential for employee health problems. District Attorney Martwick discussed the attorney recruitment issues associated with the Carrizozo office and expressed belief relocation to Ruidoso would alleviate these issues. District Attorney Martwick also stated concerns about staff and the public utilizing the stairs in the Annex.

John Sugg, Chief Deputy District Attorney discussed the need for a fully staffed office in Lincoln County. Mr. Sugg stated the Carrizozo office handled approximately 34% of the felony cases filed in the 12<sup>th</sup> Judicial District with a staff of two attorneys, two secretaries and one victim advocate. Mr. Sugg expressed interest in relocation to the former title company building and requested the District Attorney's office have the opportunity to provide input on any remodel design.

Karen Parsons, 12<sup>th</sup> Judicial District Judge encouraged the Board of Commissioners to provide adequate and safe office space for the District Attorney but did not support relocation of the office to Ruidoso. Judge Parsons stated a preference for the office to be in Carrizozo due to the heavy case load and the District Court's need for quick access to the District Attorney.

Ms. Taylor stated the District Attorney had also expressed concerns about security at the Annex. Sheriff Robert Shepperd reminded there were two full time duty officers at the Courthouse conducting regular patrols through all areas of the complex including the Annex.

After discussion and comment, there was a general consensus among Commissioners the District Attorney's office should remain in Carrizozo. Further discussion ensued regarding the cost and logistics associated with renovation of the Annex versus remodeling the former title company building.

**Motion:** Approve actions to remediate the mold and potential health issues in the Annex building at this time, **Action:** Approve, **Moved by** Commissioner Doth, **None seconded**.

Motion dies for lack of a second.

**Motion:** Approve the allocation of up to \$270,000 for the remediation and renovation of the Annex building, **Action:** Approve, **Moved by** Chair Powell, **Seconded by** Commissioner Doth.

District Attorney Martwick stated belief any major renovation would require installation of an elevator to meet ADA requirements. Attorney Morel suggested provision of additional space to the District Attorney on the first floor to meet ADA requirements.

**Vote:** Motion carried by unanimous vote (summary: Yes = 4).

**Yes:** Chair Powell, Commissioner Doth, Commissioner Draper, Commissioner Stone.

**Absent:** Commissioner Minter

Chair Powell recessed the Regular Meeting at 10:13:36 AM and reconvened at 10:27:39 AM.

Attorney Morel stated after discussion with the District Attorney it was his understanding the District Attorney preferred the County remodel the title company building rather than renovate the Annex. Chair Powell stated belief renovation of the Annex was paramount due to other County employees and offices located in the Annex. Chair Powell suggested the remodel of the title company building was more appropriately considered by the newly elected commission during the budget process. Attorney Morel suggested an agenda item for the January Regular Meeting for further discussion of other considerations related to this issue.

**11. 9:30 A.M.: PUBLIC COMMENT AND OTHER BUSINESS FROM COUNTY OFFICIALS (Items are for discussion only – no action will be taken)**

Judge Karen Parsons expressed appreciation on behalf of the 12<sup>th</sup> Judicial District Court for the newly expanded court facility. Judge Parsons stated the facility provided much needed space for multiple uses as well as greater public access.

Commissioner Stone wished everyone Merry Christmas and a Happy New Year.

Commissioner Doth expressed his appreciation for the opportunity to work with the other Elected Officials and County staff during his term.

Commissioner Draper requested the public be mindful of children who need assistance during the Holiday Season.

Rhonda Burrows, County Clerk introduced Whitney Whittaker as the newly appointed Chief Deputy Clerk. Ms. Whittaker discussed the Clerk's process to conduct the automatic recount for the Commissioner of Public Lands contest in the 2014 General Election and presented the results for review. Ms. Whittaker stated as a result of the recount there were no changes to total votes cast for either candidate in Lincoln County.

Sheriff Robert Shepperd expressed appreciation for the expansion of the Sheriff's office complex.

**15. Proclamation – Taos Muncy – Two-time World Saddle Bronc Rider**

Ms. Taylor informed Taos Muncy was 2005 graduate of Corona High School who continued to live, raise his family, and conduct business in Corona and Lincoln County. Ms. Taylor presented the proclamation acknowledging Mr. Muncy's outstanding professional accomplishments including winning both the title of World Champion Bronc Rider and the College National Finals in 2007. Ms. Taylor stated Mr. Muncy won his second World Championship in 2011 and competed for a third World Championship this year.

**Motion:** Approve the Proclamation for Taos Muncy, **Action:** Approve, **Moved by** Commissioner Stone, **Seconded by** Commissioner Doth.

**Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).

**Yes:** Chair Powell, Commissioner Doth, Commissioner Draper, Commissioner Stone.

**Absent:** Commissioner Minter.

**16. Proclamation – Hondo High School – Six-man Football State Champions**

Ms. Taylor informed the Hondo Valley High School Eagles were the 2014 New Mexico Six Man Football Champions. Ms. Taylor stated the team had a perfect 10-0 season and were ranked 50<sup>th</sup> in the nation in the six, eight and nine man football classification. Ms. Taylor further noted Head Coach Brandon Devine and Quarterback Roberto Nores were recognized as Coach of the Year and Player of the Year by the New Mexico Six Man Coaches Association.

**Motion:** Approve the Proclamation for the Hondo Valley High School Eagles Football Champions, **Action:** Approve, **Moved by** Commissioner Stone, **Seconded by** Commissioner Doth

**Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).

**Yes:** Chair Powell, Commissioner Doth, Commissioner Draper, Commissioner Stone.

**Absent:** Commissioner Minter.

**17. Proclamation - Ruidoso High School – Class IV A Volleyball State Champions**

Ms. Taylor informed the Ruidoso High School Lady Warriors Volleyball team under the leadership of Head Coach Pam Allen won the Class AAAA State Volleyball Championship on November 15, 2014. Ms. Taylor noted the strong community support for this team and presented the proclamation for outstanding accomplishment.

**Motion:** Approve the Proclamation for the Ruidoso High School Lady Warriors, **Action:** Approve, **Moved by** Commissioner Draper, **Seconded by** Commissioner Doth.  
**Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).  
**Yes:** Chair Powell, Commissioner Doth, Commissioner Draper, Commissioner Stone.  
**Absent:** Commissioner Minter.

**18. Proclamation - Ruidoso High School – Class IV A Football State Champions**

Ms. Taylor informed the Ruidoso High School Warrior Football team won the Class AAAA State Football Championship on December 6, 2014. Ms. Taylor stated under the leadership of Coach Kief Johnson the team not only excelled athletically but also achieved a 3.3 team grade point average. Ms. Taylor presented the proclamation for this outstanding accomplishment.

**Motion:** Approve the Proclamation for the Ruidoso High School Warrior Football team with a minor correction to the won loss record, **Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Commissioner Draper.  
**Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).  
**Yes:** Chair Powell, Commissioner Doth, Commissioner Draper, Commissioner Stone.  
**Absent:** Commissioner Minter.

**19. Resolution 2014–30 NM DOT Road Fund Time Extension for Certain Projects/First Amendments to Cooperative Agreements**

Ms. Taylor stated the current 2014 Cooperative Agreements for road projects expired on December 31, 2014. Ms. Taylor stated after completion of the initial projects, the Road Department identified and the Board of Commissioners approved additional projects to utilize all available funding. Ms. Taylor stated delays due to timing and weather required the County to request additional time to complete the projects.

Carl Palmer, Road Superintendent stated the NM Department of Transportation (DOT) did not object to requests for time extension when requested in a timely fashion.

**Motion:** Adopt Resolution 2014-30, **Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Commissioner Draper.  
**Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).  
**Yes:** Chair Powell, Commissioner Doth, Commissioner Draper, Commissioner Stone.  
**Absent:** Commissioner Minter

**SEE EXHIBIT B:** Copy of Resolution 2014-30 is attached hereto in reference thereto made a part hereof.

**20. 11:00 A.M.: Farewell to Departing Elected Officials**

Commissioner Stone read for the record a plaque for outgoing Commissioner Kathryn Minter in recognition of dedicated service to the citizens of Lincoln County from January 1, 2011 to December 31, 2014.

Commissioner Draper presented a plaque to Commissioner Mark Doth in recognition of dedicated service to the citizens of Lincoln County from January 1, 2011 to December 31, 2014 including serving as Vice Chair from 2012 to 2013.

Commissioner Draper presented to Commissioner Jackie Powell a plaque in recognition of dedicated service from January 1, 2007 to December 31, 2014 including serving as Chair from October 2012 to December 2014.

Chair Powell recessed the Regular Meeting for the Luncheon and Grand Opening at 11:05:08 AM.

- a. Pot Luck Luncheon
- b. Open House / Grand Opening of Courthouse / Sheriff's Complex Expansion

Chair Powell reconvened the Regular Meeting at 12:59:39 PM.

Chair Powell recessed the Regular Meeting and convened the Public Hearing at 1:00:00 PM.

**21. 1:00 P.M.: Public Hearing to consider the following Ordinances:**



**a. Lincoln County Ordinance No. 2014-08 – An ordinance amending Personnel Policies and Procedures; and Repealing Ordinance 2014-01**

Attorney Morel informed the only substantive change was a modification to the description of "temporary or seasonal" employee to optimize use of the position. Attorney Morel stated the proposed language defined a temporary or seasonal employee as one hired either on a full time or part time basis for a position created to last no more than nine consecutive months.

Rhonda Burrows, Clerk questioned if there were any employees currently working under the prior definition. Attorney Morel explained the new language actually expanded the definition to provide more flexibility.

Chair Powell requested public comment and receiving none recessed the Public Hearing and reconvened the Regular Meeting at 1:06:30 PM.

**Motion:** Adopt Lincoln County Ordinance 2014-08, **Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Commissioner Draper.

**Vote:** Motion carried by unanimous roll call vote (summary: Yes = 4).

**Yes:** Chair Powell, Commissioner Stone, Commissioner Doth, Commissioner Draper.

**Absent:** Commissioner Minter.

**SEE EXHIBIT C:** Copy of Ordinance 2014-08 is attached hereto in reference thereto made a part hereof.

Chair Powell recessed the Regular Meeting and reconvened the Public Hearing at 1:07:10 PM.

**b. A Resolution Setting Fees to be charged by the County of Lincoln for solid waste services to Lincoln County Residents located outside of all municipalities and the Alto Lakes Water and Sanitation District; Pursuant to Lincoln County Ordinance 2008-07 by Resolution 2014-29.**

Attorney Morel reminded the County adopted a new Ordinance effective January 1, 2015 which required rate adjustments be adopted by Resolution. Attorney Morel stated due to a lack of response from GSWA to an Inspection of Public Records Act (IPRA) request in October, the County was unable to recommend a commercial rate at this time. Attorney Morel stated traditionally rates are based on the cost of providing services but GSWA's refusal to provide information hindered the County's ability to review the cost of services and set rates for billing. Attorney Morel noted a review of numerous different commercial contracts provided to the County by GSWA indicated different rates were charged for exact or similar services.

Attorney Morel presented a revised Resolution reflecting only residential rates. Attorney Morel recommended deletion of a previously established charge for poly cart service and adoption of a single billing rate of \$17.95 monthly plus gross receipts tax for solid waste services for County residents.

Ms. Taylor noted the monthly rate of \$17.95 yielded the quarterly rate of \$53.95 as published and publically posted by the County as the residential rate beginning on January 1, 2015.

Commissioner Draper questioned if the Resolution should also define late fees. Attorney Morel informed late fees were set at \$5.00 per quarter by prior Ordinance.

There was a general consensus to add the definition of the late fee as \$5.00 per quarterly billing to the Resolution.

Commissioner Draper expressed concern about County residents who currently have poly cart service and how they might react to any change. A lengthy discussion ensued concerning current poly cart use only in Rancho Ruidoso Valley Estates. After discussion, Attorney Morel clarified the intent of the Resolution was to set a single rate and the decision as to the type of service to provide to any particular area was GSWA's as the service provider.

Attorney Morel reminded all other participating entities of the Authority currently provided their own billing and with the County billing for the County residents beginning in January GSWA would not bare the cost of billing for services. Attorney Morel noted no representatives from GSWA were present for the public hearing.

Chair Powell requested public comment and receiving none adjourned the Public Hearing and reconvened the Regular Meeting at 1:39:05 PM.

**Motion:** Adopt Resolution 2014-29 as amended to reflect the addition of Gross Receipts Tax and define the late fee as \$5.00 per quarterly billing, **Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Commissioner Draper.  
**Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).  
**Yes:** Chair Powell, Commissioner Doth, Commissioner Draper, Commissioner Stone.  
**Absent:** Commissioner Minter.

**10. GSWA Update (continued)**

- a. Consideration / potential action on Conducting of Formal Audit of GSWA operations

Ms. Taylor reminded the County attempted for several months to obtain information from GSWA regarding operating procedures and practices with limited success. Ms. Taylor informed the County had contacted Accounting & Consulting Group, LLC regarding the feasibility of conducting an AUP (Agreed Upon Procedures) of GSWA for specific information. Ms. Taylor stated the estimated cost of this research was \$19,750 plus out of pocket expenses.

**Motion:** Approve the expenditure of funds and direct the Manager to enter into a contract with Accounting & Consulting Group LLC to conduct an AUP of GSWA, **Action:** Approve, **Moved by** Commissioner Stone, **Seconded by** Commissioner Doth.  
**Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).  
**Yes:** Chair Powell, Commissioner Stone, Commissioner Doth, Commissioner Draper.  
**Absent:** Commissioner Minter.

**22. Manager's Report**

1. **Payment in Lieu of Taxes (PILT) and Secure Rural Schools (SRS).** The Manager stated the National Association of Counties informed Congress had passed an appropriations package titled the "Consolidated and Further Continuing Appropriations Act of 2015". The Manager stated the package included \$372 million in FY15 appropriated funds for the PILT program. The Manager stated the funding combined with the previously appropriated \$70 million provided the full FY15 funding amount of \$442 million for PILT. The Manager noted the legislation did not include retroactive FY14 funding for Secure Rural Schools.
2. **Capital Outlay Requests.** The Manager attended the Capital Outlay Request Overview conducted by Hubert Quintana of SNMEDD on November 24, 2014. The Manager informed SNMEDD set a meeting on December 30, 2014 for all local governments within the County to present their priority projects to the local legislators for Lincoln County including Senator Phil Griego, Senator Bill Burt, Representative Zach Cook and Representative Nora Espinoza. The Manager stated based on the County's Infrastructure Capital Improvement Plan (ICIP), and the Commission's direction, the following projects were submitted for consideration for FY 16 capital outlay funding with top priorities being:
  - a) New Hondo Fire Station \$275,000
  - b) Expansion of White Oaks Fire Station \$230,000
  - c) Expansion of Lincoln County Detention Center \$537,000

The Manager reminded Lincoln County received capital outlay funding last year for all three projects: \$25,000 for the Hondo Fire Station; \$20,000 for the White Oaks Fire Station expansion; and \$163,000 for the Detention Center expansion.

**Building / Project Updates.**

- a) The Ft. Stanton Fire Station: Chief Bennie Long scheduled an open house at the new Ft. Stanton Station for December 18, 2014.
  - b) Moving of Radio Antenna: Relocation of the antenna from the rooftop of the Sheriff's complex to ground level is complete.
  - c) Roof Replacement and HVAC Unit Installation: Installation on the Public Officials Building will begin in the near future with plans currently under review by Construction Industries Division.
3. **Lincoln County Medical Center's POB** received the prestigious Eagle Award from the National Association of Industrial and Office Properties. Lincoln County Commission Chair Powell attended the NAIOF Awards luncheon held on December 5, 2014 in Albuquerque. Jaynes Corporation gifted the prestigious trophy to Lincoln County and ordered duplicates for their firm and Lincoln County Medical Center.

**4. Upcoming Calendar:**

- a) December 17<sup>th</sup> – GSWA v Lincoln County Hearing



- b) December 18<sup>th</sup> – GSWA December meeting
- c) December 31<sup>st</sup> – Swearing in of new Public Officials
- d) January 13<sup>th</sup> – Lincoln County Commission Meeting
- e) January 20 – 22 – NMAC Legislative Conference

#### 5. Departmental Updates:

- a) Renee Montes, Senior Services Director reported County operated Senior Centers were operating within the budget for revenues and expenses.
- b) Joe Kenmore, Office of Emergency Services Director discussed the advantages of the recent relocation of the communications tower.

Spencer Baldwin, OES Coordinator reported he was appointed by the Governor's office to serve as representative from the 2<sup>nd</sup> Congressional District to the Fire Grant Council.

- c) Curt Temple, Planning Director commented on education and outreach efforts associated with the FEMA grant. Mr. Temple stated in addition to scheduled public meetings the County had posted additional information on the website, established a dedicated email address, and was in the process of obtaining a toll free number to respond to questions about thinning trees.

Mr. Temple further reported members of the Planning Commission would resubmit a letter of recommendations for the proposed Land Use Ordinance to the new Board of Commissioners after the first of the year.

- d) Carl Palmer, Road Superintendent discussed the search for and access to crushed materials for road maintenance. Mr. Palmer stated he sought assistance from the State Bureau of Land Management in Roswell to clarify whether the State would approve a "Split Estate Lease" for removal of minerals. Mr. Palmer stated the Road Department currently had access to one pit by permitted State access and an agreement with a private land owner. Mr. Palmer expressed a desire to permit and open additional pits on State land.
- e) Punkin Schlarb, Finance Director stated interviews were conducted for the new position of Solid Waste Billing Clerk and a decision was pending. Ms. Schlarb discussed work with the County's software provider, Triadic, to establish a billing process.
- f) Billie Jo Guevara, Administrative Assistance and Human Resources Director reported on the addition of information of tree thinning information to the County's website.

#### 21. 1:00 P.M.: Public Hearing to consider the following Ordinances: *(continued)*

- b. **A Resolution Setting Fees to be charged by the County of Lincoln for solid waste services to Lincoln County Residents located outside of all municipalities and the Alto Lakes Water and Sanitation District; Pursuant to Lincoln County Ordinance 2008-07 by Resolution 2014-29.**

**Motion:** Reconsider the vote to adopt Resolution 2014-29, **Action:** Approve, **Moved by** Commissioner Stone, **Seconded by** Commissioner Doth.

**Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).

**Yes:** Chair Powell, Commissioner Doth, Commissioner Draper, Commissioner Stone.

**Absent:** Commissioner Minter.

**Motion:** Adopt Resolution 2014-29 removing the language defining late fees, **Action:** Approve, **Moved by** Commissioner Stone, **Seconded by** Commissioner Doth.

**Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).

**Yes:** Chair Powell, Commissioner Doth, Commissioner Draper, Commissioner Stone.

**Absent:** Commissioner Minter.

**SEE EXHIBIT D:** Copy of Resolution 2014-29 is attached hereto in reference thereto made a part hereof

#### 23. Consideration of Approval / Disapproval of Indigent Health Care Claims

Scott Annala, IHC Administrator presented the Sole Community Provider/Safety Net Care Provider Pool claims for approval. Mr. Annala processed 19 claims with 16 recommended for approval and 3 recommended for disapproval for a monthly authorization of \$11,817. Mr. Annala stated the total approval for SCP/SNCP claims for Fiscal Year 2014-2015 to date was \$136,813 with a monthly average of \$22,802.

Mr. Annala presented the Indigent Health Care Payments request for the month and stated he processed 6 claims with 5 claims recommended for approval and 1 for disapproval for a total payment this month of \$3,754.25. Mr. Annala stated, pending approval, the total for IHC claims for Fiscal Year 2014-2015 to date was \$32,512.97 for an average monthly indigent claims payment of \$5,419. Mr. Annala anticipated expenditure of approximately \$65,000 this Fiscal Year out of a budget of \$363,000 with additional funds held over from last year. Mr. Annala anticipated the legislature would likely look at potential State use of unexpended County Indigent Funds. Mr. Annala stated he and the County Manager would review the potential for use of Indigent Health Care funds for other expenses such as the Safety Net Care Pool payment or County Medicaid payment.

**Motion:** Approval and denial of the claims as indicated for SCP/SNCP and Indigent Health Care as recommended, **Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Chair Powell.  
**Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).  
**Yes:** Chair Powell, Commissioner Doth, Commissioner Draper, Commissioner Stone.  
**Absent:** Commissioner Minter.

**SEE EXHIBIT E:** Copy of Resolution 2014-29 is attached hereto in reference thereto made a part hereof.

#### **24. Award of Invitation to Bid 14-15-005 Annual Base Course Supply**

Ms. Taylor stated bids were solicited to secure sources of aggregate material at various locations for use on projects in all parts of the County and the County could contract with more than one supplier. Ms. Taylor detailed the bids received as follows:

- a. Mesa Verde Enterprises, Inc. \$18.50/ton delivered from the La Luz pit
- b. Ruidoso Sand and Gravel \$12.50/ton picked up from the Hideout pit

**Motion:** Award Bid 14-15-005 to Mesa Verde Enterprises, Inc. for \$18.50/ton delivered and Ruidoso Sand and Gravel for \$12.50/ton picked up, **Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Chair Powell.  
**Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).  
**Yes:** Chair Powell, Commissioner Stone, Commissioner Doth, Commissioner Draper.  
**Absent:** Commissioner Minter.

#### **25. Construction of Carrizozo Senior Center**

- a. Award of Request for Proposal # 14-15-004

Ms. Taylor informed responses to Bid 14-15-004 for construction of a new Carrizozo Senior Center were due on November 19, 2014. Ms. Taylor stated nine contractors attended a mandatory pre-bid meeting but only one contractor responded to the bid as follows:

Roper Construction, Inc. \$1,199,000.00

**Motion:** Reject the bid of Roper Construction and direct the Manager to work with the Architect to redesign the plans to meet the budgeted amount, **Action:** Approve, **Moved by** Commissioner Draper, **Seconded by** Chair Powell.  
**Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).  
**Yes:** Chair Powell, Commissioner Stone, Commissioner Doth, Commissioner Draper.  
**Absent:** Commissioner Minter.

- b. Consideration / Potential Action on Request for Project Budget Change

No action was taken.

#### **26. Authorization to Schedule Public Hearing to Consider Other Outdated or New Lincoln County Ordinance**

- a. Low Income Tax Payer's Rebate of Property Taxes (Required in Odd numbered years per NMSA 7-2-14.3 G)

Ms. Taylor stated NMSA 7-2-14.3 G required the Board of Commissioners to conduct a public hearing to consider a low income tax payer's rebate of property tax in odd numbered years.

**Motion:** Schedule a Public Hearing to consider a Low Income Tax Payer's Rebate of Property Taxes, **Action:** Approve, **Moved by** Chair Powell, **Seconded by** Commissioner Stone.

**Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).

**Yes:** Chair Powell, Commissioner Stone, Commissioner Doth, Commissioner Draper.

**Absent:** Commissioner Minter.

**27. Consideration of Appointments and Removals from Boards/ Commissioners/ Committees:**

- a. **Tabled-Senior Citizens Olympic Committee**

**28. Renewal of County Attorney Contract**

Ms. Taylor informed the County Attorney's current contract defined a flat monthly fee for services. Ms. Taylor stated the contract covered all associated fees and costs excluding litigation of individual cases of ordinance violations in magistrate and district courts. Ms. Taylor stated Attorney Morel proposed negotiation of a new flat rate or a return to hourly billing beginning January 1, 2015. Ms. Taylor discussed the advantages to the County of a flat rate billing for services and suggested an increase of 5% over the current monthly rate. Attorney Morel provided a cost analysis of work performed in 2014 for review.

**Motion:** Approve the renewal of current County Attorney contract for the flat fee with an increase of \$750 per month plus gross receipts tax, **Action:** Approve, **Moved by** Commissioner Stone, **Seconded by** Commissioner Doth.

**Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).

**Yes:** Chair Powell, Commissioner Stone, Commissioner Doth, Commissioner Draper.

**Absent:** Commissioner Minter.

**29. Lincoln Historic Preservation Board – Grant**

Curt Temple, Planning Director presented a grant application sponsored by the State Historical Preservation Department. Mr. Temple requested permission to develop a grant application for a detailed survey map of Lincoln Historic District A. Mr. Temple stated the Lincoln Historic Preservation Board and State Monument staff supported the application for a survey. Mr. Temple stated the \$50,000 grant required a 40% or \$20,000 match from the County. Mr. Temple expressed belief there were potential in kind services which might contribute to the match. Mr. Temple also stated the State Department of Transportation had agreed to provide surveys done by their department in the area to assist with the detailed survey.

There was a general consensus to take no action at this time.

**30. Executive Session Pursuant to the Open Meetings Act: Discussion of all Threatened and/or Pending Litigation Section 10-15-1, Sub-Paragraph H.(7); and Discussion of the purchase, acquisition or disposal of real property or water rights by the public body, Section 10-15-1, Sub-Paragraph H.(8).**

**Motion:** To close the meeting for the purposes of an Executive Session to discuss Threatened and/or Pending Litigation pursuant to the Open Meetings Act, Section 10-15-1, Sub Paragraph H.(7) and the purchase, acquisition or disposal of real property or water rights by the public body, Section 10-15-1, Sub-Paragraph H.(8) and as follows:

**New or Updated Matters since last report \***

1. *Cooper, Gale and DeBaca County News v. County of Lincoln, Sheriff of Lincoln County, et al.* D-1329-CV-200701364. Suit filed: October 15, 2007. Verified Complaint for Declaratory Judgment Ordering Production of Certain Records and Information. Hearing took place Dec. 18, 2013, and Conclusion of Law/Order was filed May 15, 2014 entered in favor of Ms. Cooper. Ms. Cooper filed an appeal June 10, 2014.
2. *Coble Constructors, LLC, et al v Carl Kelley Construction Ltd. Co, et al.* D-1226-CV-2012-00003. Suit filed January 15, 2012. Complaint to Foreclose Mechanic's Lien. Motion for Summary Judgment filed Jan. 29, 2014. Motion for Grant of Summary Judgment filed July 18, 2014. Hearing scheduled for Jan. 5, 2015.

\*3. *Greentree Solid Waste Authority v. Lincoln County D-1226-CV-2014-00095*. Suit filed May 1, 2014. Verified Petition for Declaratory and Supplemental Relief: Injunction, Motion to Waive Time to Reassign District Judge (Judge Karen Parsons was disqualified). County was served May 14, 2014. Mr. Paul Melendres has been retained by the County and filed Answer, Motion to Disqualify Mr. Beauvais and Change of Venue. Motion to Join the New Mexico Finance Authority as an Indispensable Party filed July 22, 2014. GSWA filed its Motion for Summary Judgment on Sept. 26, 2014. County filed its Response to GSWA's Motion for Summary Judgment on Oct. 13, 2014. Scheduling Conference and Hearing on All Pending Motions was Nov. 20 both with Judge Ritter, who found Mr. Beauvais had a conflict of interest and was disqualified from representing GSWA. Stipulated Partial Dismissal was entered and GSWA's Motion to Reconsider was filed Dec. 5, 2014. GSWA has retained Robert Doughty as new counsel, who filed a Limited Entry of Appearance Dec. 13, 2014. Preliminary Injunction Hearing is scheduled Dec. 17, 2014 with Judge Ritter. Lincoln County's Reply to Motion to Dismiss Supplemental Motion for Injunctive Relief is due Dec. 18, 2014.

4. *Greentree Solid Waste Authority v. Lincoln County, et. al. D-0101-CV-2013-00104*. Suit filed January 9, 2013. Petition for Declaratory Judgment; Preliminary and Permanent Injunction. Mr. Beauvais filed an appeal Feb. 27, 2014. Ruling on Reconsidering Stay denied by Judge Singleton June 11, 2014. GSWA's Brief in Chief filed Sept. 9, 2014. Record Proper was filed Sept. 25, 2014. Alto Lakes Water and Sanitation District's and Lincoln County's Joint Response Brief was filed with the Court of Appeals Oct. 24, 2014. GSWA filed its Reply Brief Dec. 1, 2014.

5. *Barbara Diane Latham, et al v. Neal Cox, Ben Hazen, Lincoln County Sheriff's Department and the County of Lincoln. D-1226-CV-2013-00191 to Federal No: 2:13-CV-00822-RB-SMV*. Suit filed July 19, 2013. Complaint for Violation of Civil Rights, Wrongful Death and Damages by Attorney Gary Mitchell. Tort Claim Notice was filed on October 27, 2011. LCSO and LC Manager were served on August 5, 2013. Advised NMAC assigned the case to Brennan and Sullivan Law Firm Sept. 5, 2013. Case was moved to Federal Court August 30, 2013. Plaintiffs and Defendants Agreed Motion to Modify Scheduling Order filed Aug. 5, 2014. Motion for Qualified Immunity still pending as of Oct. 4, 2014. Ms. Latham filed a new action in federal court against Village of Capitan and Police Officer Kevin Kennedy filed July 25, 2014. The court Sua Sponte consolidated both cases via Order from Judge Brack filed Sept. 29, 2014.

6. *State of NM/Lincoln County v. Avalon-Construction, Ruidoso, NM D-1226-CV 2014-00006* Filed Jan. 6, 2014 Open complaint for Refund of Taxes paid. Case assigned to Basham & Basham/Dwyer. Motion to Dismiss filed July 17, 2014. Settlement Agreement was signed by Avalon Sept. 3, 2014 and by Lincoln County Sept. 8, 2014.

7. *Bank of America, N.A. v. Howard D. Schafer, et. al. (County of Lincoln through LCSWA) D-1226-CV2014-00162* County was served Sept. 2, 2014. Complaint for Foreclosure filed Aug. 19, 2014 Lincoln County filed an Alarm Ordinance Lien and a LCSWA Lien. Mr. Morel entered his appearance on behalf of the County Sept. 23, 2014. Disclaimer of Interest has been filed by Lincoln County.

8. *Water Rights Protests: New Mexico State Engineer Hearing Numbers: 14-039 and 14-041*. Protests of Applications 01300-1, 01300-2, 01300-3, 0826-2 into 0275 et. al. and H-272 et al (T) and H-50-1 into H-272 et. al. (T) filed July 15, 2013 pertaining to movement / transfer of water rights from the Hondo Valley to the Village of Ruidoso and the City of Ruidoso Downs. Docketing Order filed Sept. 18, 2014. Kelly Cassels/Sanders, Bruin, Coll & Worley, P.A. has been retained by the County, entered his appearance Sept. 22, 2014 and has responded in behalf of the County.

\*9. *Wesmax, Ltd. V. Paul Baca, Lincoln County Assessor D-1226-CV-201400188* Appeal of the Final Order from Lincoln County Valuation Protest Board. Appeal filed Oct. 8, 2014. Case assigned to Basham & Basham/Dwyer. Record of Appeal and Transcript of Proceedings was filed Oct. 23, 2014.

#### **Tort Claims Notices Received or Threatened**

##### **2014**

**Ramos, Aaron** – Tort Claim Notice received from Mr. Ramos March 18, 2014 alleging his rights were violated during incarceration at Lincoln County Detention Center. Mr. Ramos alleges damages by not being granted detainee to detainee correspondence.

**Millerden, Kenneth and Anita** – Tort Claim Notice received May 9, 2014 alleging negligence from staff at Lincoln County Medical Center during prepartum care for their infant son.

**Ogden, John D** – Tort Claim Notice received May 26, 2014 alleging mistreatment while incarcerated at LCDC on March 11, 2014.

**Rounds, Christopher** – Tort Claim Notice received June 4, 2014 alleging being held in LCDC without being advised of his charges.

**Herbert, Crystal** – Tort Claim Notice received June 23, 2014 alleging false imprisonment, due process violations, unlawful detention of a minor, emotional distress.

**Class Action** – Tort Claim Notice received June 23, 2014 alleging false imprisonment, false arrest, deprivation of rights at LCDC that arise with Immigration and Customs Enforcement charges.

**Atwell, Stacey** – Tort Claim Notice received June 25, 2014 alleging unlawful seizure of her two minor children during a request for a deputy to assist in keeping the peace.

**McGarry, Sean** – Tort Claim Notice received July 25, 2014 alleging wrongful arrest, false imprisonment, malicious prosecution, intentional or negligent infliction of emotional distress, abuse of process, wrongful termination and retaliatory discharge regarding discharge from the Capitan Police Department.

**Ramos, Aaron** – Tort Claim Notice received August 7, 2014 alleging lack of Due Process for inmates at LCDC.

**Lambert, David and Bonnie** - Tort Claim Notice received Sept. 8, 2014 by attorney W. Chris Nedbalek alleging damage to Lambert property due to Mr. Rodney Bunsen using his own equipment to alter a platted County right of way without the authorization or knowledge of the County.

**Rider, Edward Allen and Moorhead, Brennon** – Tort Claim Notice received Oct. 20, 2014 by attorney W. Chris Nedbalek alleging Lincoln County Narcotics Enforcement Unit officers destroyed items in a home.

**Caughron, Brittany and Anderson, Amie** – Tort Claim Notice received Oct. 24, 2014 by attorney W. Chris Nedbalek alleging overcrowding of Lincoln County Detention Center as a violation of 8<sup>th</sup> Amendment Rights.

**Ryen, Allen**- Tort Claim Notice received Oct. 27, 2014 by attorney W. Chris Nedbalek alleging Mr. Ryen was exposed to unsanitary conditions at Lincoln County Detention Center.

**Inmate Group** – Tort Claim Notice received Oct. 27, 2014 by attorney W. Chris Nedbalek alleging overcrowding and unsanitary conditions at Lincoln County Detention Center.

**McMurray, Cody** – Tort Claim Notice received Nov. 6, 2014 by attorney W. Chris Nedbalek alleging lack of adequate medical care at Lincoln County Detention Center.

**\*Diana Martwick, 12<sup>th</sup> Judicial District Attorney** – Tort Claim Notice received Nov. 25, 2014 alleging lack of adequate office space provided by the County of Lincoln.

## **2013**

**Allen, Katherine Elizabeth**- Notice of Tort Claim against Lincoln County Detention Center for alleged injuries sustained during transport.

**Borrego, Albert** - Tort Claim Notice received from attorney Gary Mitchell on June 14, 2013, alleging continued harassment to Albert G. Borrego by police while responding to a noise complaint at Mr. Borrego's residence on February 28, 2013, and a separate incident resulting in Mr. Borrego's arrest on March 5, 2013, due to an outstanding warrant, during which Mr. Borrego allegedly sustained injuries while in custody due to an existing broken back injury. Claim has been denied by NMAC.

**Espinoza, Robert** -Tort Claim Notice received from Robert Espinoza on June 4, 2013, alleging property damage from vehicle accident while Linda Mullins, driving the LC Senior Center meal delivery van ran off road hitting chain link fence, poles and railroad ties.

**Harrisburg Documents**- Attempts to recover Lincoln County documents illegally taken from the county. County Clerk Rhonda Burrows has been in contact with Harrisburg, PA in recovery efforts.

**Montoya, Emilia L.** - Tort Claim Notice received by attorney Freda Howard McSwane on April 23, 2013, alleging injuries sustained by Ms. Montoya when a physical altercation took place at the LCDC.

**Ramos, Aaron** - Tort Claim Notice received by attorney Robert J. Beauvais on April 18, 2013, (correspondence dated September 13, 2011) alleging concerns about Mr. Ramos's safety and welfare and violation of his U.S. Constitutional rights.

**Silva, Elmo** -Tort Claim Notice received from attorney Richard Marquez November 6, 2013. Alleges false imprisonment for Mr. Silva, who was sentenced in the 12<sup>th</sup> Judicial District Court to 38 years filed on July 3, 1990.

**Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Chair Powell.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 4).

**Yes:** Chair Powell, Commissioner Doth, Commissioner Draper, Commissioner Stone.

**Absent:** Commissioner Minter.

Chair Powell recessed the Regular Meeting and convened the Closed Session at 2:28:55 PM.

Chair Powell adjourned the Closed Session and reconvened the Regular Meeting at 3:50:07 PM.

Commissioner Doth attested that matters discussed in the closed meeting were limited to those specified in the motion for closure or in the notice of separate closed meeting.

## **31. Potential Property Purchase**



**Motion:** Approve the purchase of the Robinson property located at 125 El Paso Road in Ruidoso for \$80,000 or appraised value whichever is less, **Action:** Approve, **Moved by** Chair Powell, **Seconded by** Commissioner Doth.

**Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).

**Yes:** Chair Powell, Commissioner Doth, Commissioner Draper, Commissioner Stone.

**Absent:** Commissioner Minter.

**32. Potential Legal Action – Greentree Solid Waste Authority vs. County of Lincoln D 1226 CV 2014-00095 Inspection of Public Records Act Violations**

**Motion:** Approve filing of a complaint against GSWA for denial of an inspection of public records request, **Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Commissioner Draper.

**Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).

**Yes:** Chair Powell, Commissioner Doth, Commissioner Draper, Commissioner Stone.

**Absent:** Commissioner Minter.

**33. Signing of Official Documents**

**34. Next meetings:**

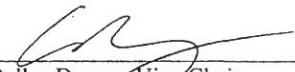
- a. January 13, 2014 Regular Commission Meeting

**35. Adjourn**

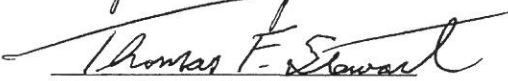
There being no further business to come before the Board of County Commissioners, Chair Powell adjourned the meeting at 3:51:50 PM.

County of Lincoln  
Board of County Commissioners

  
Preston Stone, Chair

  
Dallas Draper, Vice Chair

  
F Lynn Willard, Member

  
Thomas Stewart, Member

  
Elaine Allen, Member

ATTEST:

  
Rhonda Burrows, County Clerk

January 13, 2015  
Date Approved

